

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEVON A. SMITH : CIVIL ACTION

v. :

SGT. RILEY, et al : NO. 10-2397

O R D E R

AND NOW, this 16th day of August, 2010, defendants have filed a motion to dismiss plaintiff's complaint or, in the alternative, for summary judgment in light of plaintiff's failure to exhaust administrative remedies on July 26, 2010, to which no response has been received from plaintiff. It is ORDERED that unless plaintiff files a response to said motion by September 16, 2010, the Court will issue an order dismissing this case without prejudice.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.